

## PATENT COOPERATION TREATY

From the INTERNATIONAL SEARCHING AUTHORITY

PCT

To:  
**C/O STUDIO TORTA S.R.L.**  
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## INVITATION TO PAY ADDITIONAL FEES

(PCT Article 17(3)(a) and Rule 40.1)

<p>Applicant's or agent's file reference  <b>E-1723/03</b></p>		<p>Date of mailing  <i>(day/month/year)</i>  <b>01/10/2003</b></p>
<p>International application No.  <b>PCT/IT 03/00387</b></p>		<p><b>PAYMENT DUE</b>    within <b>30</b> <del>60</del> days    from the above date of mailing</p>
<p>International filing date  <i>(day/month/year)</i>  <b>23/06/2003</b></p>		
<p>Applicant  <b>G.D SOCIETA' PER AZIONI</b> <i>by</i></p>		

## 1. This International Searching Authority

(i) considers that there are 03 *(number of)* inventions claimed in the international application covered by the claims indicated ~~03~~ on the extra sheet:

and it considers that the international application does not comply with the requirements of unity of invention (Rules 13.1, 13.2 and 13.3) for the reasons indicated ~~03~~ on the extra sheet:

(ii)  has carried out a partial international search (see Annex)  will establish the international search report on those parts of the international application which relate to the invention first mentioned in claims Nos.:

**1-25**

(iii) will establish the international search report on the other parts of the international application only if, and to the extent to which, additional fees are paid

## 2. The applicant is hereby invited, within the time limit indicated above, to pay the amount indicated below:

EUR 945,00 x 02 = EUR 1.890,00  
 Fee per additional invention      number of additional inventions      total amount of additional fees

Or, \_\_\_\_\_ x \_\_\_\_\_ = \_\_\_\_\_

The applicant is informed that, according to Rule 40.2(c), the payment of any additional fee may be made under protest, i.e., a reasoned statement to the effect that the international application complies with the requirement of unity of invention or that the amount of the required additional fee is excessive.

3.  Claim(s) Nos. \_\_\_\_\_ have been found to be unsearchable under Article 17(2)(b) because of defects under Article 17(2)(a) and therefore have not been included with any invention.

<p>Name and mailing address of the International Searching Authority      European Patent Office, P.B. 5818 Patentlaan 2    NL-2280 HV Rijswijk    Tel. (+31-70) 340-2040, Tx. 31 651 epo nl,    Fax: (+31-70) 340-3016</p>	<p>Authorized officer  <b>John Berry</b></p>
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This International Searching Authority found multiple (groups of) inventions in this international application, as follows:

1. Claims: 1-25

Carton comprising a first container for a group of packets of cigarettes and a second container housing the first container in a sliding manner, whereby the first container is cup-shaped with an open top end and whereby the bottom wall of the first container comprises at least one through hole.

2. Claim : 26

Carton comprising a first container for a group of packets of cigarettes and a second container housing the first container in a sliding manner, whereby a first overwrapping of transparent plastic material encloses the first container together with the group of packets of cigarettes.

3. Claims: 27-29

Carton comprising a first container for a group of packets of cigarettes and a second container housing the first container in a sliding manner, whereby supporting means are present for holding each packet of cigarettes in place.

The common technical features of the 3 subjects (carton comprising a first container for a group of packets of cigarettes and a second container housing the first container in a sliding manner) are known by WO-A-00/10892.

The remaining special technical features are:

- for the first subject: a through hole provided in the bottom of the first container;
- for the second subject: an overwrapping of transparent plastic material enclosing the first container together with the group of packets of cigarettes;
- for the third subject: supporting means for holding each packet of cigarettes firmly in place.

It is obvious that these features are neither the same nor similar. Furthermore they solve different problems:

- for the first subject: to enable easy extraction of the packets of cigarettes from the first container;
- for the second subject: to allow the user to examine the group of packets of cigarettes before purchasing the carton;
- for the third subject: to hold the packets of cigarettes firmly in the first container when this container is less than full.

For these reasons the 3 subjects do not share an inventive technical relationship and thus the requirement under Rule 13.2 PCT is not fulfilled. Hence, the application contains three subjects or inventions not satisfying Rule 13.1 PCT.

1. The present communication is an Annex to the invitation to pay additional fees (Form PCT/ISA/206). It shows the results of the international search established on the parts of the international application which relate to the invention first mentioned in claims Nos.:
 

1-25
2. This communication is not the international search report which will be established according to Article 18 and Rule 43.
3. If the applicant does not pay any additional search fees, the information appearing in this communication will be considered as the result of the international search and will be included as such in the international search report.
4. If the applicant pays additional fees, the international search report will contain both the information appearing in this communication and the results of the international search on other parts of the international application for which such fees will have been paid.

**C. DOCUMENTS CONSIDERED TO BE RELEVANT**

Category	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	WO 00 10892 A (BRITISH AMERICAN TOBACCO LTD) 2 March 2000 (2000-03-02) cited in the application page 4, line 1 -page 9, line 17; figures 1-4 ---	1, 3-5, 9, 20, 21
A	FR 2 499 947 A (REYNOLDS TOBACCO) 20 August 1982 (1982-08-20) page 4, line 21 -page 5, line 15; figures 1-3 ---	1, 3-5, 9, 10
A	DE 90 03 536 U (ORBKE) 13 June 1990 (1990-06-13) ---	
A	WO 00 43289 A (DRAGHETTI) 27 July 2000 (2000-07-27) cited in the application	
A	& EP 1 066 206 A (DRAGHETTI) 10 January 2001 (2001-01-10) cited in the application ---	
A	GB 431 721 A (MILLAR) 15 July 1935 (1935-07-15) -----	

Further documents are listed in the continuation of box C.

Patent family members are listed in annex.

\* Special categories of cited documents :

- \*A\* document defining the general state of the art which is not considered to be of particular relevance
- \*E\* earlier document but published on or after the international filing date
- \*L\* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- \*O\* document referring to an oral disclosure, use, exhibition or other means
- \*P\* document published prior to the international filing date but later than the priority date claimed

\*T\* later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

\*X\* document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

\*Y\* document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more others such documents, such combination being obvious to a person skilled in the art.

\*&\* document member of the same patent family

**Patent Family Annex**  
Information on patent family members

International Application No  
PCT/IT 03/00387

Patent document cited in search report		Publication date		Patent family member(s)		Publication date
WO 0010892	A	02-03-2000	AU WO TW	5436699 A 0010892 A1 401367 B		14-03-2000 02-03-2000 11-08-2000
FR 2499947	A	20-08-1982	DE BE FR IT LU NL	8104045 U1 892125 A1 2499947 A3 1149645 B 83944 A1 8200543 A ,B ,		02-07-1981 27-05-1982 20-08-1982 03-12-1986 07-07-1982 01-09-1982
DE 9003536	U	13-06-1990	DE	9003536 U1		13-06-1990
WO 0043289	A	27-07-2000	IT AU CN EP WO US	B0990029 A1 5191799 A 1298362 T 1066206 A1 0043289 A1 6484930 B1		21-07-2000 07-08-2000 06-06-2001 10-01-2001 27-07-2000 26-11-2002
GB 431721	A	15-07-1935		NONE		